

STATEMENT OF BASIS (AI No. 122405)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0121762 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Mississippi River Ventures, LLC
Barge Fleeting Facility
P.O. Box 2515
Kenner, LA 70063

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Kelli Hamilton

DATE PREPARED: November 1, 2005

1. PERMIT STATUS

A. Reason For Permit Action:

First time issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permit - LPDES permit effective date: N/A
LPDES permit expiration date: N/A

C. Date Application Received: May 28, 2004

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY - barge fleeting site

Facility is an existing barge fleeting site, which operates at River Mile 115 on the left descending bank of the Mississippi River in St. Rose. The barge transfers biodegradable grain products from barges. Discharges are the intermittent discharge deck washwater, and stormwater runoff. The facility uses the Mississippi River water as the washwater. Stormwater that falls on the barge deck runs off the sides of the barge deck.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: III
4. SIC code: 4491

C. LOCATION - River Mile 115 of the left descending bank of the Mississippi River in St. Rose, St. Charles Parish Latitude 29°58'08", Longitude 90°17'10"

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: deck washwater, and stormwater runoff

Treatment: none

Location: discharge may occur around River Mile 115 (Latitude 29°58'08",
Longitude 90°17'10")

Flow: intermittent

Discharge Route: directly to the Mississippi River

4. RECEIVING WATERS

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
d. drinking water supply

5. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

6. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

No records of compliance actions were found.

B. DMR Review/Excursions

No DMR data were available for review since this is a first time issuance.

7. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which are listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated 10/21/05 from Watson (FWS) to Gautreaux (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. Effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. The more stringent of technology and water quality based limits

(as applicable) have been applied to ensure maximum protection of the receiving water.

8. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

9. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

10. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

11. STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

The SIC code for this facility is 4491. As per LAC33:IX.2511.B.14.h, facilities classified as SIC code 4491 require coverage for stormwater discharges associated with industrial activity when the facility has a vehicle maintenance shop, equipment cleaning operations, or airport deicing operations. Operations at this facility include deck washwater as well as loading, unloading, and transferring cargo; therefore, stormwater requirements are applicable. However, barge BMP's, which are applicable to SWP3 requirements, will be applied.

Rationale for Mississippi River Ventures, LLC

1. **Outfall 001** deck washwater, and stormwater runoff (estimated flow is intermittent)

<u>Pollutant</u>	<u>Limitation</u>	<u>Reference</u>
	Mo. Avg:Daily Max (mg/l)	
TOC	---:50 mg/L	BPJ; *
Oil & Grease	---:15 mg/l	BPJ; *
pH	6.0 - 9.0 s.u.	BPJ: *

Treatment: None

Monitoring Frequency: Once per discharge event for all parameters at the point of discharge; sampling is only required if a visible sheen is present (see Part II, J.4. for discharge of washwaters and Part II, Paragraph L.6 for discharge of rain and river water)

Limits Justification: BPJ based on existing permits for similar dry bulk cargo transfer facilities.

* Existing permits for similar outfalls
BPJ Best Professional Judgement
su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

TMDL Waterbodies

Subsegment 070301, Mississippi River-From Monte Sano Bayou to Head of Passes, is not listed on LDEQ's Final 2004 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.